

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Duke Energy Carolinas, LLC for
Approval of Energy Efficiency Plan Including an
Energy Efficiency Rider and Portfolio of Energy
Efficiency Programs

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET**DOCKET****NUMBER: 2007 - 358 - E**

(Please type or print)

Submitted by: Jeremy C. Hodges**SC Bar Number:** 71123**Address:** Nelson Mullins**Telephone:** 803-255-97661320 Main St., Meridian 17th Floor**Fax:** 803-255-9164Columbia, SC 29201**Other:** _____**Email:** jeremy.hodges@nelsonmullins.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)☐ **Emergency Relief demanded in petition** ☐ **Request for item to be placed on Commission's Agenda expeditiously**☒ **Other: Petition to Intervene of Piedmont Natural Gas Company, Inc.**

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input checked="" type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA**

DOCKET NO. 2007-358-E

In the Matter of:

Application of Duke Energy Carolinas, LLC)	PETITION TO INTERVENE OF
For Approval of Energy Efficiency Plan)	PIEDMONT NATURAL GAS
Including an Energy Efficiency Rider and)	COMPANY, INC.
Portfolio of Energy Efficiency Programs)	

Piedmont Natural Gas Company, Inc. ("Piedmont"), through counsel and pursuant to Rule 103.836 of the Rules and Regulations of the Public Service Commission of South Carolina Commission ("Commission"), respectfully requests the Commission to enter an order permitting Piedmont to intervene and participate in the above-captioned proceeding. In support of its Petition to Intervene, Piedmont shows the Commission the following:

1. Any notices or other communications with respect to this Petition should be sent to:

Jane Lewis-Raymond
Vice President & General Counsel
Piedmont Natural Gas Company, Inc.
Post Office Box 33068
Charlotte, NC 28233
Telephone: 704-731-4261
Email: jane.lewis-raymond@piedmontng.com

And

Jeremy C. Hodges
Nelson Mullins Riley & Scarborough LLP
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Meridian 17th Floor
Columbia, SC 29201
Telephone: 803-255-9766
Email: jeremy.hodges@nelsonmullins.com

And

James H. Jeffries IV¹
Moore & Van Allen PLLC
100 North Tryon Street, Suite 4700
Charlotte, NC 28202-4003
Telephone: 704-331-1079
Email: jimjeffries@mvalaw.com

2. Piedmont is incorporated under the laws of the state of North Carolina and is duly authorized by its Articles of Incorporation to engage in the business of transporting, distributing and selling natural gas. It is duly domesticated and is engaged in conducting the business above mentioned in the states of South Carolina, North Carolina and Tennessee. Piedmont is a public utility under the laws of this State, and its public utility operations in South Carolina are subject to the jurisdiction of this Commission.

3. On September 28, 2007, Duke Energy Carolinas, LLC ("Duke") filed an Application with the Commission requesting approval of (1) a new regulatory approach to energy efficiency programs ("Energy Efficiency Plan"), (2) an energy efficiency rider to implement the approach for Duke sponsored energy efficiency programs, and (3) a portfolio or energy efficiency programs described in the application.

4. Piedmont is a competitor of Duke's in the residential and commercial space and water heating markets and in the industrial process market. Several of Duke's proposed programs would offer direct and indirect incentives to customers to install and/or maintain electric equipment thereby directly affecting competition for those customers. Piedmont will be harmed to the extent Duke's proposed programs incent current or prospective natural gas customers to use electricity instead of natural gas in particular applications.

5. Additionally, Piedmont has a significant interest in the development of rational and effective conservation policies regarding the use of energy by South Carolina citizens. Several of Duke's proposals raise issues regarding how conservation can be effectively promoted. These issues include the relative total fuel cycle efficiency of space and water

¹ James H. Jeffries IV has applied for admission *pro hac vice* in this matter.

heating provided directly by natural gas versus the use of natural gas to generate electricity to serve these needs. Numerous studies published in the last few years indicate that the direct application of natural gas for space and water heating is more efficient on a total fuel cycle basis than the alternative use of natural gas to fuel gas-fired electric turbines for the provision of electricity to serve these uses. Finally, it is important to recognize that any program that provides incentives to use a particular fuel in a particular end-use application has the natural propensity to increase load demands for that fuel rather than reduce them. Several of Duke's programs have this propensity. Piedmont intends to address these and related issues in this proceeding from the perspective of a natural gas company competing with Duke in the space and water heating markets.

6. Accordingly, Piedmont submits that it has a valid and substantial interest in this proceeding. This interest cannot be adequately represented by other parties to this proceeding.

WHEREFORE, based on the foregoing, Piedmont respectfully requests that the Commission issue an order allowing it to intervene and fully participate in future proceedings in the above-captioned proceeding.

Respectfully submitted, this the 9th day of November, 2007.

Piedmont Natural Gas Company, Inc.

s/Jeremy C. Hodges
Jeremy C. Hodges

OF COUNSEL:

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s/James H. Jeffries IV
James H. Jeffries IV

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STATE OF NORTH CAROLINA

VERIFICATION

COUNTY OF MECKLENBURG

David R. Carpenter, being duly sworn, deposes and says that he is Managing Director, Regulatory Affairs of Piedmont Natural Gas Company, Inc., that as such, he has read the foregoing Petition and knows the contents thereof; that the same are true of his own knowledge except as to those matters stated on information and belief and as to those he believes them to be true.



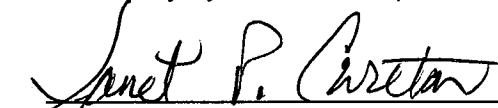
David R. Carpenter

Mecklenburg County, North Carolina

Signed and sworn to before me this day by David R. Carpenter

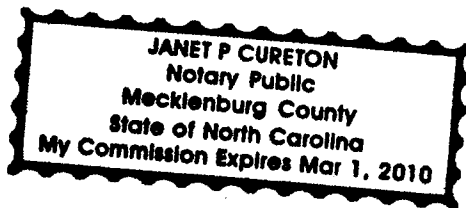
Date:

11/08/2007


Janet P. Cureton, Notary Public

(Official Seal)

My commission expires: March 1, 2010



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the attached *Petition to Intervene of Piedmont Natural Gas Company, Inc.* is being served this date via email and UPS Overnight (5 copies) upon:

Nanette S. Edwards
Office of Regulatory Staff
1441 Main Street
Suite 300
Columbia, South Carolina 29201
nsedwar@regstaff.sc.gov

And that a copy of the attached *Petition to Intervene of Piedmont Natural Gas Company, Inc.* is being served this date via U.S. Mail upon:

Catherine E. Heigel
Assistant General Counsel
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P.O. Box 1006, EC03T
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J. Blanding Holman, IV
Southern Environmental Law Center,
The Coastal Conversation League and
The Southern Alliance for Clean Energy
200 West Frank Street, Suite 330
Chapel Hill, North Carolina 27516

This the 9th day of November, 2007.

s/ James H. Jeffries IV
James H. Jeffries IV